



# NEWS

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## **SUMMARY OF CASES ACCEPTED DURING THE WEEK OF SEPTEMBER 15, 2003**

[This news release is issued to inform the public and the press of cases that the Supreme Court has accepted and of their general subject matter. The description or descriptions set out below do not necessarily reflect the view of the court, or define the specific issues that will be addressed by the court.]

#03-117 Kids Against Pollution v. California Dental Association, S117156. (A098396; 108 Cal.App.4th 1003; San Francisco County Superior Court; 322109, 322110.) Petition for review after the Court of Appeal reversed an order denying a special motion to strike. This case includes the following issue: Were all of plaintiffs' causes of action under the Unfair Competition Law (Bus. & Prof. Code, § 17200 et seq.), based upon various aspects of the defendant dental association's course of conduct relating to the health controversy over the safety of mercury amalgam fillings, subject to a special motion to strike under Code of Civil Procedure section 425.16?

#03-118 Zamos v. Stroud, S118032. (B160484; 110 Cal.App.4th 60; Los Angeles County Superior Court; LC060622.) Petition for review after the Court of Appeal reversed an order granting a special motion to strike. This case presents the following issue: When there was probable cause to initiate a prior lawsuit, can an attorney be held liable for malicious prosecution for continuing to prosecute the lawsuit after discovering facts showing that the lawsuit has no merit?

#03-119 People v Marichalar, S117796. (C042068; 109 Cal.App.4th 1513; Butte County Superior Court; CM015954, CM016749, CM016857.) Petition for review after the Court of Appeal modified and affirmed a judgment of conviction of criminal offenses.

(over)

The court ordered briefing deferred pending decision in In re Black, S110683 (#02-202) and In re Reeves, S110887 (#02-203), which present the following issue: Does Penal Code section 2933.1, which limits the work time credits that can be earned by a prisoner convicted of a violent felony to 15 percent of the amount that would otherwise accrue under section 2933, limit the credits applicable to the sentence imposed on each offense of which such a prisoner is convicted, including a concurrent sentence for a non-violent offense that is imposed in a proceeding unrelated to the violent felony?

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